

**FEDERAL LAWS
AND REGULATIONS****Public Law 96-272**

The Adoption Assistance and Child Welfare Act of 1980 [42 USC 620 & 670 et seq.] amends the Social Security Act and provides the federal legal base for placement services to children. The intent of this law is to strengthen permanency planning for children within each of the states. The law also provides federal funding for a portion of the costs of adoption subsidy payments for eligible children in the child welfare system.

Public Law 104-193

The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 limits eligibility for federal foster care and adoption assistance payments to children in families that would have been eligible for Aid To Families with Dependent Children (AFDC) based on the program rules in effect on July 16, 1996.

Public Law 105-89

The Adoption and Safe Families Act of 1997 amends titles IV-B and IV-E of the Social Security Act [42 U SC 620-635 and 670-679 et seq.]. The law establishes that safety, permanency and well being are the goals for children in the child welfare system. The Act includes:

- Requirements that states provide health care coverage for children with medical or rehabilitative needs receiving an adoption support subsidy not funded by title IV-E.
- Authorization of continued eligibility for title IV-E adoption subsidy payments when the adoption disrupts or the parents die and the child is subsequently adopted.

Public Law 103.432

The Social Security amendments of 1994 amend Sections 470 - 473 of the Social Security Act [42 USC 670 et seq.] to link title IV-E financial eligibility to the AFDC program as it was in effect in the state on June 1, 1995.

Public Law 109-171

The Deficit Reduction Act of 2005 revised eligibility requirements for foster care maintenance payments and adoption assistance.

Public Law 109-248

The Adam Walsh Child Protection and Safety Act of 2006 requires national criminal background and child abuse registry checks before approval of any foster or adoptive placement.

45 CFR 1355

Part 1355 of the Code of Federal Regulations includes regulations for Foster Care Maintenance, Adoption Assistance and Child and Family Services. Title IV-E state plan requirements for adoption assistance, data collection and statewide automated child welfare information systems are addressed in the regulations.

45 CFR 1356.40

Part 1356.40 of the Code of Federal Regulations includes administrative requirements to implement section 473 of the Social Security Act for the adoption assistance program.

45 CFR 1356.41

Part 1356.41 of the Code of Federal Regulations includes regulations for the nonrecurring adoption expenses program.

STATE LAWS**1939 PA 280, as amended [MCL 400.115f et seq.]**

The Social Welfare Act, effective June 16, 1939, established the state Department of Social Services.

1980 PA 292

This amendment to the Social Welfare Act, effective November 18, 1980, established the adoption subsidy program, set eligibility requirements and payment requirements.